

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Forestry and Wildlife
Honolulu, Hawaii 96813

March 24, 2006

Chairperson and Members
Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

Land Board Members:

SUBJECT: AUTHORITY TO CONDUCT A PUBLIC HEARING TO ADD
THE LAND OF WAO KELE O PUNA (TAX MAP KEYS:
(3) 1-2-010:002 and (3) 1-2-010:003) TO THE FOREST
RESERVE SYSTEM

Background: On September 9, 2005 the Division of Forestry and Wildlife (DOFAW) sought and was approved authorization to enter into a Memorandum of Agreement (MOA) with the Office of Hawaiian Affairs (OHA) to assist in the acquisition, management, and protection of 25,856 acres of land from the Estate of James Campbell at Wao Kele O Puna on the Island of Hawaii. The purpose of this acquisition is for the preservation of natural and cultural resources of this area in perpetuity. The Department will initially provide management and protection for this forest area until OHA has obtained management and protection capacity. One important step to enable this process is for these lands to be added to the State Forest Reserve System, so that they can be managed and protected under the Department's Administrative Rule Chapter 104 – Rules Regulating Activities Within Forest Reserves. This request is to authorize the Division to conduct the necessary public hearing, to add these lands to the Forest Reserve System as per HRS §183-11, Government Land for Forest Reserves and §183-12, Notice of Hearing.

Current Situation: The Department and OHA have been working together to complete the MOA for over three months, and are very close to the final version. The Trust for Public Lands (TPL) is in the process of obtaining the fee simple title from the Estate of James Campbell, which is expected to occur in April 2006. The transfer of the fee title from TPL to OHA is expected to occur in late April or May 2006. Both the Department and OHA would like to proceed with putting this land into the Forest Reserve System, via a Governor's Executive Order, immediately after OHA obtains the fee title, in order to provide immediate management and protection for this land under the Department's Forest Reserve Rules. In anticipation of the immanent purchase and transfer of this land to OHA, the DOFAW would like to start this

process. The Division requests Board approval to schedule and hold the public hearing on the Island of Hawaii as soon as possible, in order to proceed with the necessary steps for adding this land to the Forest Reserve System.

RECOMMENDATIONS

That the Board of Land and Natural Resources:

1. Authorize the Division to conduct a public hearing to add 25,856 acres at Wao Kele O Puna, to the State Forest Reserve System, under provisions of HRS §183-11, Government Land for Forest Reserves and §183-12, Notice of Hearing.
2. Authorize the Chairman to set the date and time for a public hearing, and appoint a Hearing Master.

Respectfully submitted,



PAUL J. CONRY, Administrator
Division of Forestry & Wildlife

APPROVED FOR SUBMITTAL:



PETER T. YOUNG, Chairperson
Board of Land & Natural Resources